

WOMBLE
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A PROFESSIONAL LIMITED
LIABILITY COMPANY



Seventh Floor
1401 Eye Street, N.W.
Washington, DC 20005

Telephone: (202) 467-6900
Fax: (202) 467-6910
Web site: www.wcsr.com

Howard J. Barr
Direct Dial: (202) 857-4506
Direct Fax: (202) 261-0006
E-mail: hbarr@wcsr.com

DOCKET FILE COPY ORIGINAL

August 31, 2004

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, TW A325
Washington, D.C. 20554

RECEIVED

AUG 31 2004

Federal Communications Commission
Office of Secretary

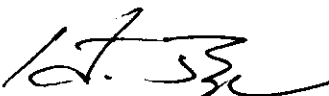
**Re: Supplement to Petition for Reconsideration
Table of Allotments
FM Broadcast Stations
MB Docket No. 02-136; RM-10458,
RM-10663, RM-10667, RM-10668**

Dear Ms. Dortch:

Transmitted herewith on behalf of Mercer Island School District is an original and four copies of its Supplement to Petition for Reconsideration. A Motion for Leave to File Supplement to Petition for Reconsideration is being filed contemporaneously under separate cover.

Should any questions arise concerning this matter, please contact the undersigned.

Respectfully submitted,


Howard J. Barr

Enclosure

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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AUG 31 2004

In the Matter of)	Federal Communications Commission
)	Office of Secretary
Amendment of Section 73.202(b),)	
Table of Allotments)	MB Docket No. 02-136
FM Broadcast Stations)	RM-10458
Arlington, The Dalles, Moro, Fossil,)	RM-10663
Astoria, Gladstone, Tillamook, Springfield-)	RM-10667
Eugene, Coos Bay, Manzanita and Hermiston,)	RM-10668
Oregon and Covington, Trout Lake, Shoreline,)	
Bellingham, Forks, Hoquiam, Aberdeen, Walla)	
Walla, Kent, College Place, Long Beach, Ilwaco)	
Trout Lake and Mercer Island, Washington ¹)	

To: Chief, Media Bureau

SUPPLEMENT TO PETITION FOR RECONSIDERATION

Mercer Island School District ("MISD"), by counsel, hereby submits its Supplement to Petition for Reconsideration in the above-captioned matter.² MISD submits further evidence demonstrating that the Audio Division erred in accepting Mid-Columbia Broadcasting, Inc.'s and First Broadcasting Investment Partners, LLC's ("Joint Petitioners") urbanized area coverage showing. The following is shown in support thereof:

A. Joint Petitioners' Minor Change Supports MISD's Assertion that KMCQ at Covington will Serve Far in Excess of 8.8% of the Urbanized Area

1. As discussed in MISD's Petition for Reconsideration ("Petition"), The Audio Division erred when it unquestioningly accepted Joint Petitioners' contention that the proposed

¹ MISD submits that the community of Mercer Island should be added to the caption given its proposed allotment of Channel 283A for KMIH(FM) at Mercer Island, Washington.

² MISD is contemporaneously filing a Motion to Submit Supplement to Petition for Reconsideration.

channel 283C3 allotment at Covington will serve only 8.8% of the urbanized area.³ Appendix A to MISD's Comments was a Dataworld study showing propagation contours from the proposed site based upon the minimal information (minimum Class C3 – 25kw, 100m HAAT) then available. MISD demonstrated that the proposed Covington facility will provide 70 dBu service to 39% of the Seattle Urbanized Area and 60 dBu service to 71% of that area – far in excess of the 8.8% coverage proffered by Joint Petitioners. As discussed in the Petition, a more recent Dataworld study commissioned by MISD shows that the proposed allotment will provide 70 dBu service to 1,250,325 persons or 46% of the urbanized area and 60 dBu service to 1,875,187 persons or 69% of the urbanized area.

2. Not only did Joint Petitioners fail to rebut this showing but, even worse, the *Report and Order* never even took it under consideration.

3. Since the reconsideration deadline, Joint Petitioners filed a minor change application seeking to effectuate the community of license change. See File No. BPH-20040809ABL (the "Application"). Joint Petitioners propose a transmit site on Radio Hill in Enumclaw, Washington (47-11-13NL, 121-54-11 WL) with an antenna centered at 605 meters above mean sea level, 20 meters above ground level and 97 meters above average terrain with 25 kw effective radiated power. *Id.*

4. Dataworld has studied this application and reached the following conclusions as to coverage:

³ Joint Petitioners apparently derived their 8.8% figure by examining the Seattle Urbanized Area as defined in the 1990 census.³ The Census Bureau revised its urbanized area classification criteria in the 2000 census combining Seattle and Tacoma into one urbanized area with a population count of 2,712,205. Qualifying Urban Areas for Census 2000, 67 Fed. Reg. 21962, 21963, 21967 May 1, 2002.

City Grade (70 dBu) Contour

Seattle-Takoma, Washington Urbanized Area Population	2,712,205
Population within Urbanized Areas	1,371,068
Population outside Urbanized Areas	107,937

Grade A (60 dBu) Contour

Seattle-Takoma, Washington Urbanized Area Population	2,712,205
Population within Urbanized Areas	1,977,547
Population outside Urbanized Areas	137,605

This study demonstrates that, out of a total urbanized area population of 2,712,205, KMCQ operating from Enumclaw will provide 70 dBu coverage over a total population of 1,479,005, 1,371,068 of which are located within the urbanized area. KMCQ operating from Covington will therefore place a 70 dBu contour over 51% of the urbanized area population. Perhaps more importantly, fully 92% of the 70 dBu population covered by KMCQ at Covington is located within the urbanized area. Put another way, only 8% of the 70 dBu population is outside of the urbanized area.

5. KMCQ operating from Covington will place a 60 dBu contour over almost 73% of the urbanized area population. Ninety four percent (94%) of the 60 dBu population covered by KMCQ at Covington is located within the urbanized area. Put another way, only 6% of the 60 dBu population is outside of the urbanized area.

6. This factor should be given substantial weight in the *Tuck* analysis.⁴ Covington's proximity to and its lack of independence from the urbanized area, along with the fact that nearly the entirety of the population who will receive 60 and 70 dBu service fall within the urbanized

⁴ *Faye and Richard Tuck*, 3 FCC 5374 (1988).

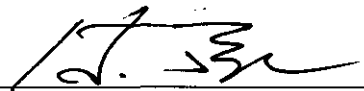
area and that a substantial portion of the urbanized area population will receive 60 and 70 dBu service, demonstrate that this reallocation proposal is really an attempt to provide an additional reception service for Seattle rather than a new transmission service for Covington.

CONCLUSION

Wherefore, the premises considered, Mercer Island School District respectfully requests that its Petition for Reconsideration be granted, that Joint Petitioners' proposed reallocation of KMCQ(FM) from The Dalles, Oregon to Covington, Washington be rejected, and that KMIH(FM) be granted a Class A allotment at Mercer Island, Washington.

Respectfully submitted,

MERCER ISLAND SCHOOL DISTRICT

By: 
Howard J. Barr
Its Counsel

Womble Carlyle Sandridge & Rice, PLLC.
1401 Eye Street, N.W.
Seventh Floor
Washington, D.C. 20005
(202) 857-4506

August 31, 2004

Dataworld, Inc.
P.O. Box 30730
Bethesda, MD 20824

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Date: August 26, 2004
Title: KMCQ FM App C3
Coordinates: 47-11-13 121-54-11
ERP: 25 kW
c/r AMSL: 605 m
Longley Rice Population: 70 dBu, 60 dBu
Urbanized Area Population: Seattle/Takoma Washington

Dataworld, Inc.
P.O. Box 30730
Bethesda, MD 20824

August 26, 2004

City Grade (70 dBu) Contour

Seattle-Takoma, Washington Urbanized Area Population	2,712,205
Population within Urbanized Areas	1,371,068
Population outside Urbanized Areas	107,937

Grade A (60 dBu) Contour

Seattle-Takoma, Washington Urbanized Area Population	2,712,205
Population within Urbanized Areas	1,977,547
Population outside Urbanized Areas	137,605

CERTIFICATE OF SERVICE

I, Howard J. Barr, do hereby certify that I have on this 31st day of August, 2004, caused to be hand delivered or mailed via First Class Mail, postage prepaid, copies of the foregoing Supplement to Petition for Reconsideration to the following:

John A. Karousos *
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau, Room 3-A266
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

R. Barthen Gorman *
Audio Division
Mass Media Bureau, Room 3-A224
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Mark N. Lipp, Esq.
Vinson & Elkins L.L.P.
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-1008
Counsel for First Broadcasting Company, LP

J. Dominic Monahan, Esq.
Luvaas Cobb Richards & Fraser, PC
777 High Street, Suite 300
Eugene, OR 97401
Counsel for Mid-Columbia Broadcasting, Inc.

Gary S. Smithwick, Esq.
Smithwick & Belendiuk, PC
5028 Wisconsin Avenue, N.W., Suite 301
Washington, D.C. 20016
Counsel for Saga Broadcasting Corp.

Alco Services, Inc.
P.O. Box 450
Forks, WA 98331
Licensee of Station KLLM(FM)

M. Anne Swanson, Esq.
Nam E. Kim, Esq.
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
Counsel for New Northwest Broadcasters, LLC

Dennis J. Kelly, Esq.
P.O. Box 41177
Washington, D.C. 20018
Counsel for Two Hearts Communications, LLC

Matthew H. McCormick, Esq.
Reddy, Begley & McCormick, LLP
1156 15th Street, N.W., Suite 610
Washington, D.C. 20005-1770

Cary S. Tepper, Esq.
Booth Freret Imlay & Tepper, PC
5101 Wisconsin Avenue, N.W.
Suite 307
Washington, D.C. 20016-4120
Counsel for Bay Cities Building Company, Inc.

James P. Riley, Esq.
Fletcher Heald & Hildreth, PLC
1300 North 17th Street, 11th Floor
Arlington, VA 22209
Counsel for Salem Media of Oregon, Inc.

Charles R. Naftalin, Esq.
Holland & Knight, LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006-1813
Counsel for McKenzie River Broadcasting Co., Inc.

Mr. Chris Goelz
8836 SE 60th Street
Mercer Island, WA 98040

Mr. Robert Casserd
4735 N.E. 4th Street
Renton, WA 98059

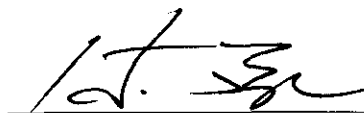
Ms. Gretchen W. Wilbert
Mayor, City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

Mr. Ron Hughes, President
Westend Radio, LLC
2950 Church Street
Baker City, OR 97814

Oregon Eagle, Inc.
P.O. Box 40
Tillamook, OR 97141

Mr. Rod Smith
13502 NE 78th Circle
Vancouver, WA 98682

Mr. Merle E. Dowd
910 S. Fortuna Drive, #8415
Mercer Island, WA 98040


Howard J. Barr

* Hand Delivered